

NASA Policies, Merit System Principles, and Prohibited Personnel Practices

From: NSSC-HRMES@mail.nasa.gov
To: james.f.bridenstine@mail.nasa.gov, Bridenstine, James F. (HQ-AA000)
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Sender: NSSC-HRMES@mail.nasa.gov
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Attachments: Your Rights as a Federal Employee.pdf

This is an Agency-wide notification to all NASA employees.

Conscientious and principled decision making is a must for NASA managers and others who exercise personnel authority. Those who take, direct others to take, recommend, or approve any personnel action should be familiar with NASA policies on Diversity and Inclusion, Equal Employment Opportunity (EEO), Anti-Harassment, and laws governing Merit System Principles and Prohibited Personnel Practices.

NASA Policy on Diversity and Inclusion

Diversity and inclusion are integral to mission success at NASA. Commitment to these principles helps to ensure fairness and equity in hiring and decision making. Diversity and inclusion engage and utilize the talents, backgrounds, and capabilities of individuals and teams to create and maintain a work environment where diverse ideas are highly valued. NASA strives to build and maintain an environment in which employees are encouraged to offer their viewpoints and perspectives before critical decisions are made. To do so, NASA must cast the widest net possible on all hiring actions and be an organization where the expression of ideas and opinions is welcomed and encouraged.

The NASA Policy Statement on Diversity and Inclusion is accessible at:

http://odeo.hq.nasa.gov/documents/Diversity_Inclusion_Policy_Statement.pdf

NASA Policy on EEO

Equal opportunity in employment means opportunity not just for some, but for all. NASA provides equal opportunity in Federal employment regardless of race, color, sex (including pregnancy, sexual harassment, sex stereotyping, caregiving responsibilities, gender identity, and sexual orientation), national origin, religion, age, disability (physical or mental), or genetic information (including family medical history). (Note: Although discrimination based on caregiving responsibilities may be a form of sex-based discrimination, it may also be a form of discrimination under other bases, such as disability, race, or national origin.) EEO covers all human capital and employment programs, management practices, and decisions including, but not limited to, recruitment, hiring, merit promotion, transfer, reassignment, training and career development, benefits, and separation. NASA supports employee rights under EEO law, and reprisal against individuals who exercise their rights will not be tolerated. NASA will continue to strive for a workplace that is free from all forms of illegal discrimination, including harassment and retaliation. NASA will also continue to provide reasonable accommodations to qualified individuals with disabilities, as appropriate.

The NASA Policy Statement on EEO is accessible at:

http://odeo.hq.nasa.gov/documents/EEO_Policy_Statement_TAGGED.pdf.

To discuss an EEO concern or initiate a complaint, contact an EEO Counselor at your Center. The NASA EEO Complaints process is accessible at: <https://www.nasa.gov/offices/odeo/complaint-process>.

NASA Policy on Anti-Harassment

NASA remains committed to providing a work environment free from harassment and to addressing harassing conduct as early as possible, before it becomes pervasive or severe. Therefore, it is NASA policy to take immediate and appropriate action when the Agency is made aware of allegations of harassment or determines that harassing conduct has occurred. Harassment is defined as any unwelcome verbal or physical conduct, based on an individual's race, color, gender, national origin, religion, age, disability, sexual orientation, status as a parent, or gender identity, which can reasonably be considered to adversely affect the work environment or an employment decision based upon the individual's acceptance or rejection of such conduct. It is the responsibility of all employees to immediately report possible incidents of harassment. Employees who make a good faith report of harassing conduct or who assist in any inquiry regarding such a report are protected from retaliation.

The NASA Policy Statement on Anti-Harassment is accessible at: http://odeo.hq.nasa.gov/documents/Anti-Harassment_Policy_Statement_TAGS.pdf.

The NASA Anti-Harassment Procedures are accessible at: <https://nodis3.gsfc.nasa.gov/>. Click the 3000-3999, Human Resources and Personnel link, then scroll down and click the NPR 3713.3 link.

Merit System Principles (5 USC 2301)

The Merit System Principles are basic standards governing the management of the executive branch workforce. The Principles state that supervisors and managers shall:

- Recruit qualified individuals from all segments of society and select and advance employees on the basis of relative ability, knowledge, and skill after fair and open competition.
- Treat employees and applicants fairly and equitably, without regard to race, color, religion, sex, national origin, age, handicapping condition, marital status, or political affiliation, and with proper regard for their privacy and constitutional rights.
- Provide equal pay for equal work and appropriate recognition for excellent performance.
- Maintain, and ensure that employees maintain high standards of integrity, conduct, and concern for the public interest.
- Manage employees efficiently and effectively.
- Retain or separate employees on the basis of their performance; inadequate performance should be corrected, and employees who do not meet required standards should be separated.
- Educate and train employees when it will result in better organizational or individual performance.
- Protect employees from improper political influence and prohibit abuse of authority in partisan matters.
- Protect employees against reprisal for the lawful disclosure of information in "whistleblower" situations (e.g., protecting people who report things like illegal and/or wasteful activities).

More information on Merit System Principles is available at: <https://www.mspb.gov/msp/meritsystemsprinciples.htm>.

Prohibited Personnel Practices (5 USC 2302)

Prohibited Personnel Practices are those things a Federal employee with personnel authority may not do. Federal employees have personnel authority if they can take, direct others to take, recommend, or approve any personnel

action.

Personnel actions include appointments, promotions, discipline, details, transfers, reassessments, reinstatements, performance evaluations, significant changes in duties or working conditions, orders for psychiatric testing or examination, and any decisions concerning pay, benefits, awards, or training.

The Code states that supervisors and managers shall not:

- Discriminate for or against an employee or applicant on the basis of race, color, religion, sex, national origin, age, handicapping condition, marital status, or political affiliation.
- Solicit or consider any employment recommendation not based on personal knowledge or records, and that relate to the individual's performance, ability, aptitude, general qualifications, character, loyalty, or suitability.
- Coerce the political activity of any person, or take any action as reprisal against an employee or applicant who refuses to engage in such political activity.
- Deceive or willfully obstruct any person with respect to such person's right to compete for employment.
- Influence a person to withdraw from competition for any position for the purpose of improving or injuring the prospects of another person for employment.
- Grant any preference or advantage not authorized by law, regulation, or rule to any employee or applicant for the purpose of improving or injuring the prospects of any particular person for employment.
- Employ or advocate for the employment or advancement of a relative, to a position over which the supervisor exercises jurisdiction or control.
- Retaliate or threaten to retaliate against a whistleblower, whether an employee or an applicant.
- Retaliate or threaten to retaliate against an employee or applicant who exercises appeal/complaint/grievance rights, testifies for or lawfully assists another individual exercising such rights, cooperates with an Inspector General or the Special Counsel, or refuses to obey an order that would require the individual to violate a law.
- Discriminate for or against an employee or applicant based on conduct which does not adversely affect performance of the employee, applicant, or others.
- Knowingly violate Veterans' Preference requirements.
- Violate any law, rule, or regulation implementing or directly concerning the merit principles.
- Implement or enforce a nondisclosure agreement or policy lacking notification of whistleblower rights.
- Access the medical record of another employee or applicant in furtherance of any conduct proscribed by the 13 other prohibited personnel practices.

More information on Prohibited Personnel Practices is available at: <https://osc.gov/ppp>.

For more information, please refer to the attached file titled "Your Rights as a Federal Employee Enforced by the U.S. Office of Special Counsel." Failure to follow the law or Agency policy may result in disciplinary action up to and including removal from Federal service.

To report a violation of the Prohibited Personnel Practices, you may contact the U.S. Office of Special Counsel (OSC) either by visiting its Web site at: <https://osc.gov/>, and filing a complaint by clicking the File A Complaint tab at the top, or by clicking the Contact tab at the top and contacting the Point of Contact (POC) listed for your specific needs. You may also contact NASA's Office of Inspector General (OIG) at: <https://oig.nasa.gov> <<http://oig.nasa.gov>> Click the HOTLINE button at the top of the page to view its address, phone numbers, and e-mail link.

For questions concerning this notice, contact:

NASA Shared Services Center (NSSC) Customer Contact Center
1-877-677-2123 (1-877-NSSC123) or nssc-contactcenter@nasa.gov

Why yes, it is all about you! And that's exactly what you'll find in the "About Me" section in the HR Portal <<https://hr.nasa.gov>>. You can access up-to-date information such as your individualized pay and leave summary which includes balances and expiration dates for restored leave, credit hours/comp time and more.

THIS IS AN AUTOMATED HRMES MESSAGE. PLEASE DO NOT REPLY.

Please contact the NSSC Customer Contact Center <<https://www.nssc.nasa.gov/contactus>> if you need additional information.

FW: NASA Policies, Merit System Principles, and Prohibited Personnel Practices

From: (b) (6) [REDACTED]
To: Bridenstine, James F. (HQ-AA000) <james.f.bridenstine@nasa.gov>
Cc: (b) (6) (HQ-OA000) (b) (6) [REDACTED]
(HQ-RA000) (b) (6)
Sent: June 12, 2019 1:00:02 PM EDT
Received: June 12, 2019 1:00:07 PM EDT
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Jim,

As you know I was discriminated. I did get the Final Agency Decision (FAD) and I was just amazed with how everything I presented to prove my case was ignored. I am not the only one that filed a discrimination complaint against (b) (6) for the same job that we both applied for, (b) (6) also applied. (b) (6) has also been patiently waiting for his FAD, that's very late and no word on when he will get it. I'm sure the findings in the FAD will be the same, (b) (6) stated that Selectee's experience was preferential for the job, not best qualified. Two senior NASA HQ folks of diversity was discriminated and nothing was done to correct the issue on hand.

(b) (6) [REDACTED]

(b) (6)

JPL

HQ-RA000

Tel (818) 354-4862

From: NSSC-HRMES@mail.nasa.gov <NSSC-HRMES@mail.nasa.gov>
Sent: Wednesday, June 12, 2019 7:14 AM
To: (b) (6) (HQ-RA000) (b) (6)
Subject: NASA Policies, Merit System Principles, and Prohibited Personnel Practices

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- Deceive or willfully obstruct any person with respect to such person's right to compete for employment.
- Influence a person to withdraw from competition for any position for the purpose of improving or injuring the prospects of another person for employment.
- Grant any preference or advantage not authorized by law, regulation, or rule to any employee or applicant for the purpose of improving or injuring the prospects of any particular person for employment.
- Employ or advocate for the employment or advancement of a relative, to a position over which the supervisor exercises jurisdiction or control.
- Retaliate or threaten to retaliate against a whistleblower, whether an employee or an applicant.
- Retaliate or threaten to retaliate against an employee or applicant who exercises appeal/complaint/grievance rights, testifies for or lawfully assists another individual exercising such rights, cooperates with an Inspector General or the Special Counsel, or refuses to obey an order that would require the individual to violate a law.
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- Knowingly violate Veterans' Preference requirements.
- Violate any law, rule, or regulation implementing or directly concerning the merit principles.

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